

84-24-A PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1.802.2.8 (V.B. 2) to permit a front yard setback of 8 feet instead of the required 30 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Gatehouse must be located as shown to be effective. Due to the storm drain location the gatehouse would have to be setback 40 feet. This would cause it to lose effectiveness due to the configuration of the entrance. It would also tie in more readily with a perimeter fence.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of the petition, and further agree to and are to be bound by the zoning regulations and restrictions Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property, which is the subject of this Petition.

Contract Purchaser: Rachuba Enterprises, Inc.
(Type or Print Name)
Signature: Lawrence R. Rachuba
Address: 700 Fairmount Avenue
City and State: Towson, Maryland 21204

Legal Owner(s): Rachuba Enterprises, Inc.
(Type or Print Name)
Signature: Lawrence R. Rachuba, President
Address: 700 Fairmount Avenue
City and State: Towson, Maryland 21204

Attorney for Petitioner: 700 Fairmount Avenue, 823-0637
Address: Towson, Maryland 21204
City and State: Towson, Maryland 21204
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: J. Robert Green, Daft-McCune-Walker, Inc.
Name: 530 East Joppa Road, 296-3333
Address: Towson, Maryland 21204
City and State: Towson, Maryland 21204
Telephone No.: 530 East Joppa Road, 296-3333
Address: Towson, Maryland 21204
City and State: Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of August, 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 4th day of October, 1983, at 10:30 o'clock A.M.

Ball
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NE/S Goucher Blvd., 1.516' :
NW of the Centerline of Squires Rd. :
9th District : OF BALTIMORE COUNTY

RACHUBA ENTERPRISES, INC., : Case No. 84-84-A
Petitioner :

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2133

I HEREBY CERTIFY that on this 12th day of September, 1983, a copy of the foregoing Order was mailed to Lawrence R. Rachuba, President, Rachuba Enterprises, Inc., 700 Fairmount Avenue, Towson, MD 21204; and Mr. J. Robert Green, Daft-McCune-Walker, Inc., 530 East Joppa Road, Towson, MD 21204.

John W. Hession, III
John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 22, 1983

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman
Nicholas B. Commodari

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

Rachuba Enterprises, Inc.
Lawrence R. Rachuba, President
700 Fairmount Avenue
Towson, Maryland 21204

RE: Item No. 24 - Case No. 84-84-A
Petitioner - Rachuba Enterprises, Inc.
Variance Petition

Dear Mr. Rachuba:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari

NICHOLAS B. COMMODARI

Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Daft-McCune-Walker, Inc.
J. Robert Green
530 East Joppa Road
Towson, Maryland 21204

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 24 - Zoning Advisory Committee Meeting of July 19, 1983
Property Owner: Rachuba Enterprises, Inc.
Location: NE/Cor. Fairmount Avenue District 9TH
Water Supply: public Sewage Disposal: public

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- (X) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

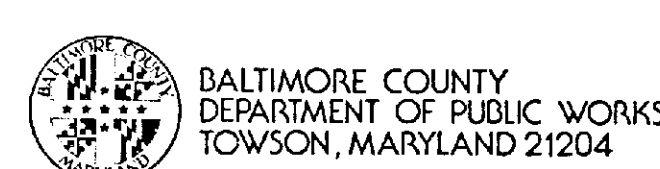
SS 20 1082 (1)

Zoning Item # 24
Page 2

- () Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.
- () Soil percolation tests have been conducted.
() The results are valid until
Revised plans must be submitted prior to approval of the percolation tests.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until
() is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit Applications.
- () All roads and parking areas should be surfaced with a dustless, bonding material.
- () No health hazards are anticipated.
- (X) Others: Prior to approval of a Building Permit, a Hydrogeological Study and an Environmental Effects Report may be required.

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, R.E.
DIRECTOR

September 15, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #24 (1983-1984)
Property Owner: Rachuba Enterprises, Inc.
N/E cor. Fairmount Ave. and Goucher Blvd.
Acres: 8.4761
District: 9th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are secured by Public Works Agreement 98201 executed in conjunction with the development of Towson Gate.

This property, Towson Gate Condominiums (Project 82174), was reviewed by the County Review Group December 8, 1982, and comments were supplied accordingly.

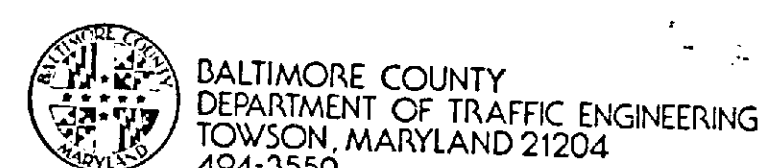
This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 24 (1983-1984).

Very truly yours,
Robert A. Morton, P.E., Chief
Bureau of Public Services

RAM:EWV:SS

cc: R. Covahey

N-W Key Sheet
39 & 40 NE 4 Pos. Sheets
NE 10 & 11
70 Tax Map



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

September 1, 1983

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 21, 22, 23, 24, and 25 ZAC - Meeting of July 19, 1983
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 21, 22, 23, 24, and 25.

Michael S. Flanagan
Traffic Engineer Assoc. II

MSF/ccm

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of October, 1983, that the herein Petition for Variance(s) to permit a front yard setback of 8 feet in lieu of the required 30 feet for the expressed purpose of constructing a gatehouse, in accordance with the site plan prepared by Daft, McCune, Walker, Inc., dated June 20, 1983, and marked Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The gatehouse shall be no larger than 13' x 21'.
2. An Amended Final Development Plan, indicating the gatehouse, shall be filed prior to applying for any building permits.

Lawrence M. Jones
Deputy Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nicholas Comedari - Zoning Department Date: August 23, 1983
FROM: G. E. Burroughs, Pldg. Plans Review
SUBJECT: Zoning Advisory Committee Meeting of July 19, 1983

Item #21 See comments.
Item #22 Standard Comments
Item #23 See comment.
Item #24 No comment
Item #25 See comments

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dubel, Superintendent Towson, Maryland - 21204

Date: July 18, 1983

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: July 19, 1983

RE: Item No: 21, 22, 23, 24, 25
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner Date: September 21, 1983
FROM: Norman E. Gerber
Director of Planning and Zoning
SUBJECT: Rachuba Enterprises, Inc.
84-84-A

There are no comprehensive planning factors requiring comment on this petition. It should be noted, however, that an amended Final Development Plan is required.

Norman E. Gerber
Norman E. Gerber
Director of Planning and Zoning

NEG:JGH:cav

DAFT-McCUNE-WALKER, INC.

530 East Joppa Road
Towson, Md. 21204
Telephone: 301-296-3333
Land Planning Consultants
Landscape Architects
Engineers

DESCRIPTION

8.4761 Acre Parcel
Lot Three
Towson Gate
Northeast Corner of Fairmount Avenue and Goucher Boulevard
Ninth Election District
Baltimore County, Maryland

Beginning for the same at the end of the first line of the outline of a parcel of land described in Exhibit 1 of a deed dated March 31, 1982 from Goucher College to Dulaney Valley Partnership, Rachuba Enterprises, Inc. and Rachuba Holding, Inc. and recorded among the land records of Baltimore County in Liber E.H.K., Jr. 6382 folio 523, said point of beginning being located on the northeast side of Goucher Boulevard 1516 feet more or less northwesterly from the centerline of Squires Road, thence running with and binding on the second, third and part of the fourth lines of said parcel and on said northeast side of Goucher Boulevard (1) North 70 degrees 03 minutes 08 seconds West 251.86 feet, (2) North 63 degrees 32 minutes 16 seconds West 148.65 feet, (3) North 47 degrees 28 minutes 06 seconds West 110.87 feet, thence leaving the outline of said aforementioned parcel and running with and binding on the Northeast side of a 10 foot widening of Fairmount Avenue, (4) Northwesterly by a curve to the left with the radius of 1,361.26 feet, the length of 274.79 feet, the chord of said curve being North 42 degrees 25 minutes 56 seconds West 274.32 feet, thence leaving said widening and running for lines of division, (5) North 42 degrees 44 minutes 37 seconds East 55.24 feet, (6) South 59 degrees 53 minutes 39 seconds East 41.23 feet, (7) North 30 degrees 06 minutes 20 seconds East

183.86 feet and (8) North 42 degrees 44 minutes 37 seconds East 339.78 feet to a point on the twenty-third line of the outline of the aforementioned parcel, thence binding on a part of said twenty-third line and all of the twenty-fourth or last line and all of the first line, (9) South 53 degrees 44 minutes 58 seconds East 479.20 feet, (10) South 19 degrees 56 minutes 59 seconds West 451.98 feet and (11) South 03 degrees 12 minutes 22 seconds East 150.09 feet to the place of beginning.

Containing 8.4761 acres of land more or less.

Being a part of the aforementioned parcel of land described in Exhibit 1 of the aforementioned deed from Goucher College to Dulaney Valley Partnership, Rachuba Enterprises, Inc. and Rachuba Holding, Inc.

Being also a part of that parcel designated as Lot 3 and shown on a Plat entitled "Towson Gate" and recorded among the land records of Baltimore County in Plat Book E.H.K., Jr. Liber 49 folio 74.

August 29, 1983
Our File No. B-82062

PETITION FOR VARIANCE

9th Election District

ZONING: Petition for Variance
LOCATION: Northeast side Goucher Boulevard, 1,516 ft. Northwest of the centerline of Squires Road
DATE & TIME: Tuesday, October 4, 1983 at 10:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a front yard setback of 8 ft. instead of the required 30 ft.

The Zoning Regulation to be excepted as follows:
Section 1802.2, B (V.B. 2) - front yard setback for other principal buildings in D.R. 1b zone
All that parcel of land in the Ninth District of Baltimore County

Being the property of Rachuba Enterprises, Inc., as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

ARNOLD JABLON
ZONING COMMISSIONER

September 26, 1983

Rachuba Enterprises, Inc.
c/o Lawrence R. Rachuba, President
700 Fairmount Avenue
Towson, Maryland 21204

Re: Petition for Variance
NE/S Goucher Blvd., 1,516' NW
of c/l of Squires Rd.
Rachuba Enterprises, Inc. - Petitioner
Case No. 84-84-A

Dear Sir:

This is to advise you that \$100.76 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND No. 121534

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

DATE: 9/29/83 ACCOUNT: R-01-615-000

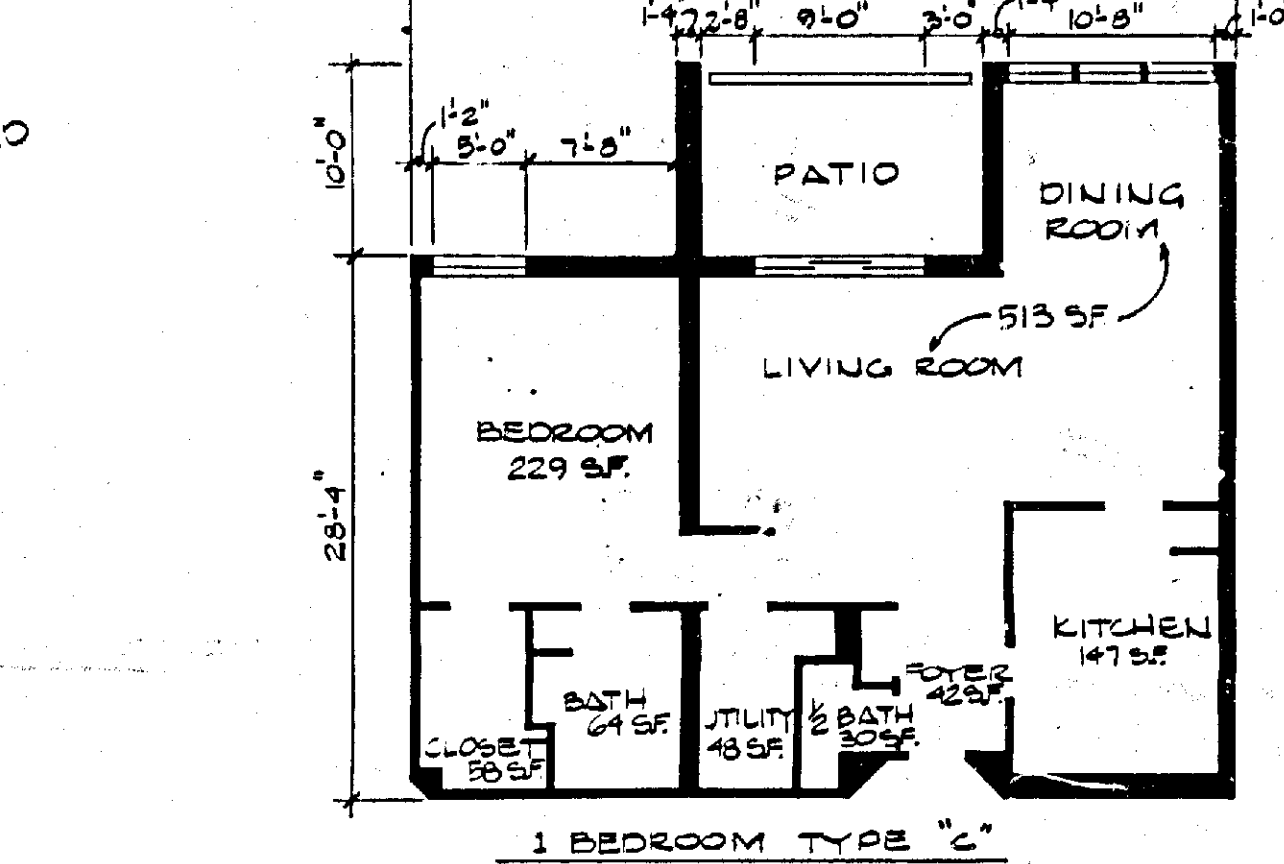
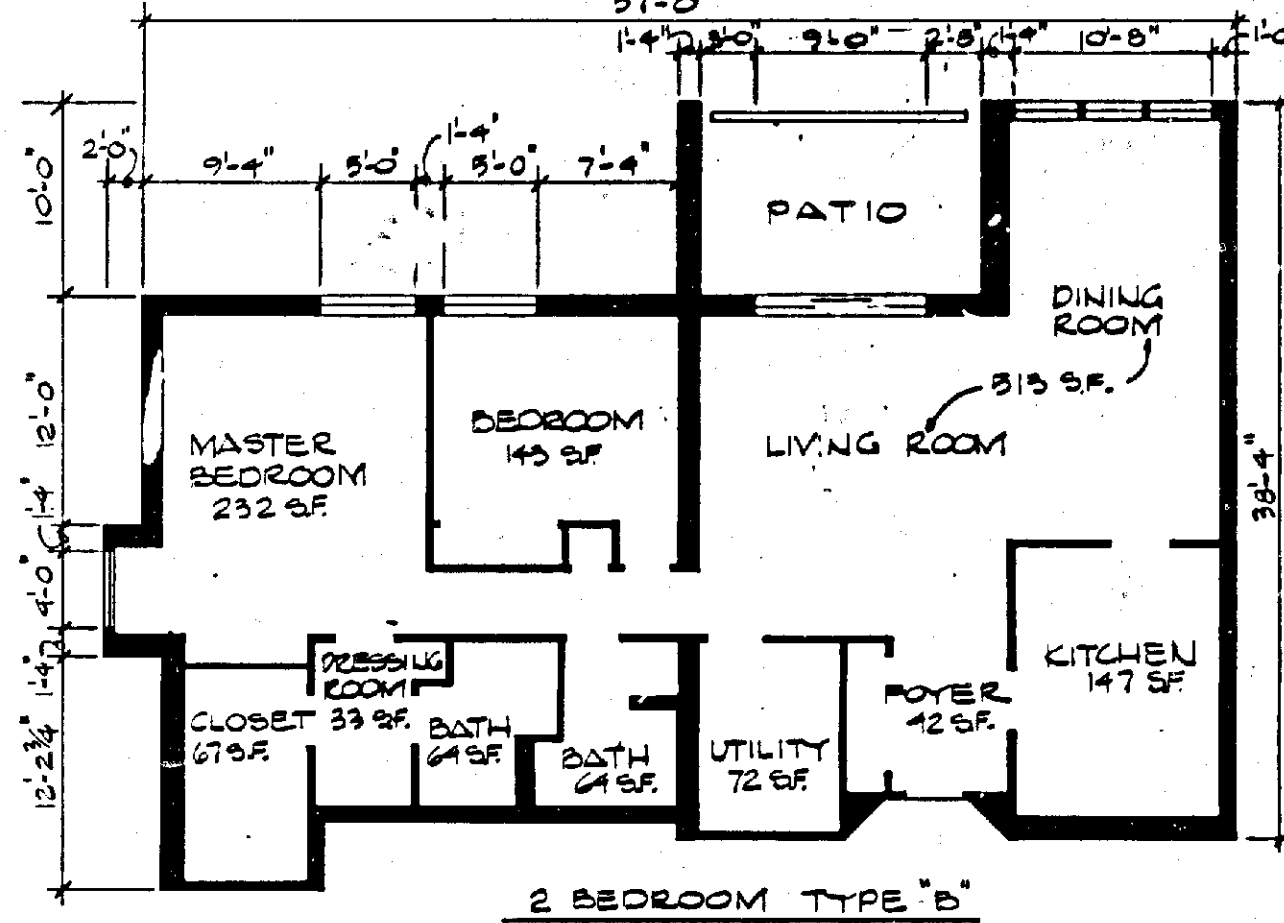
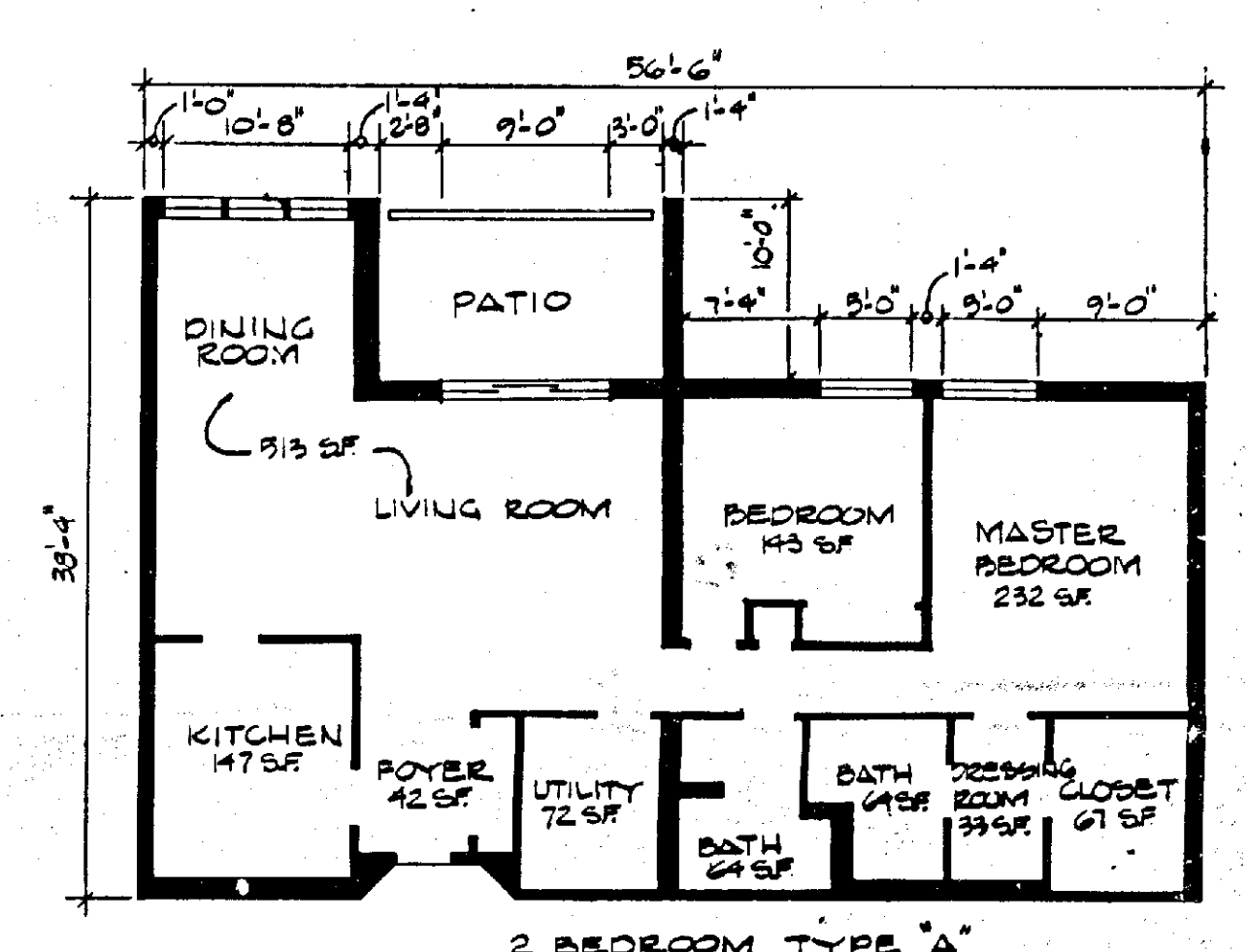
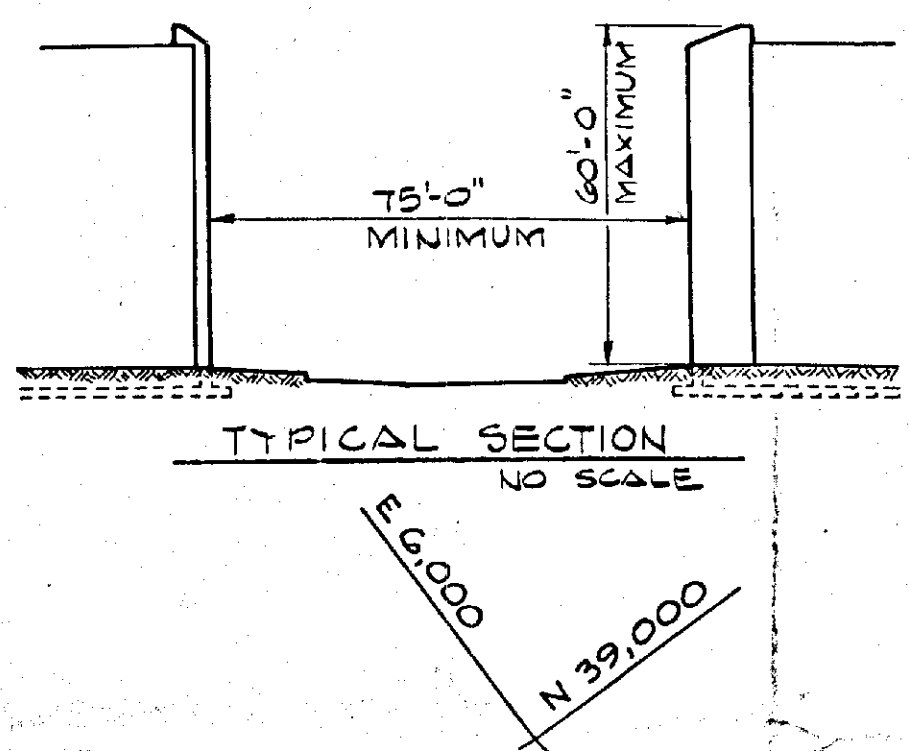
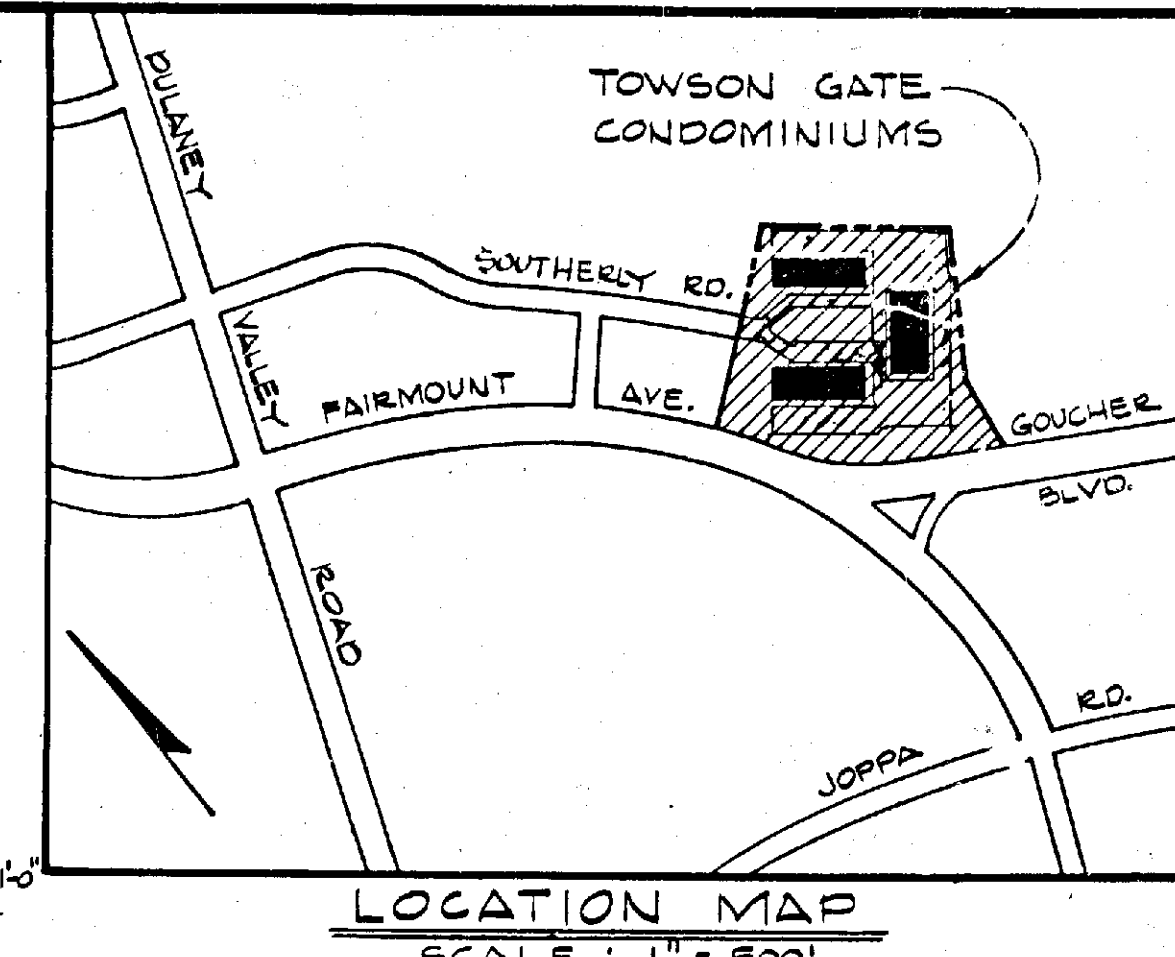
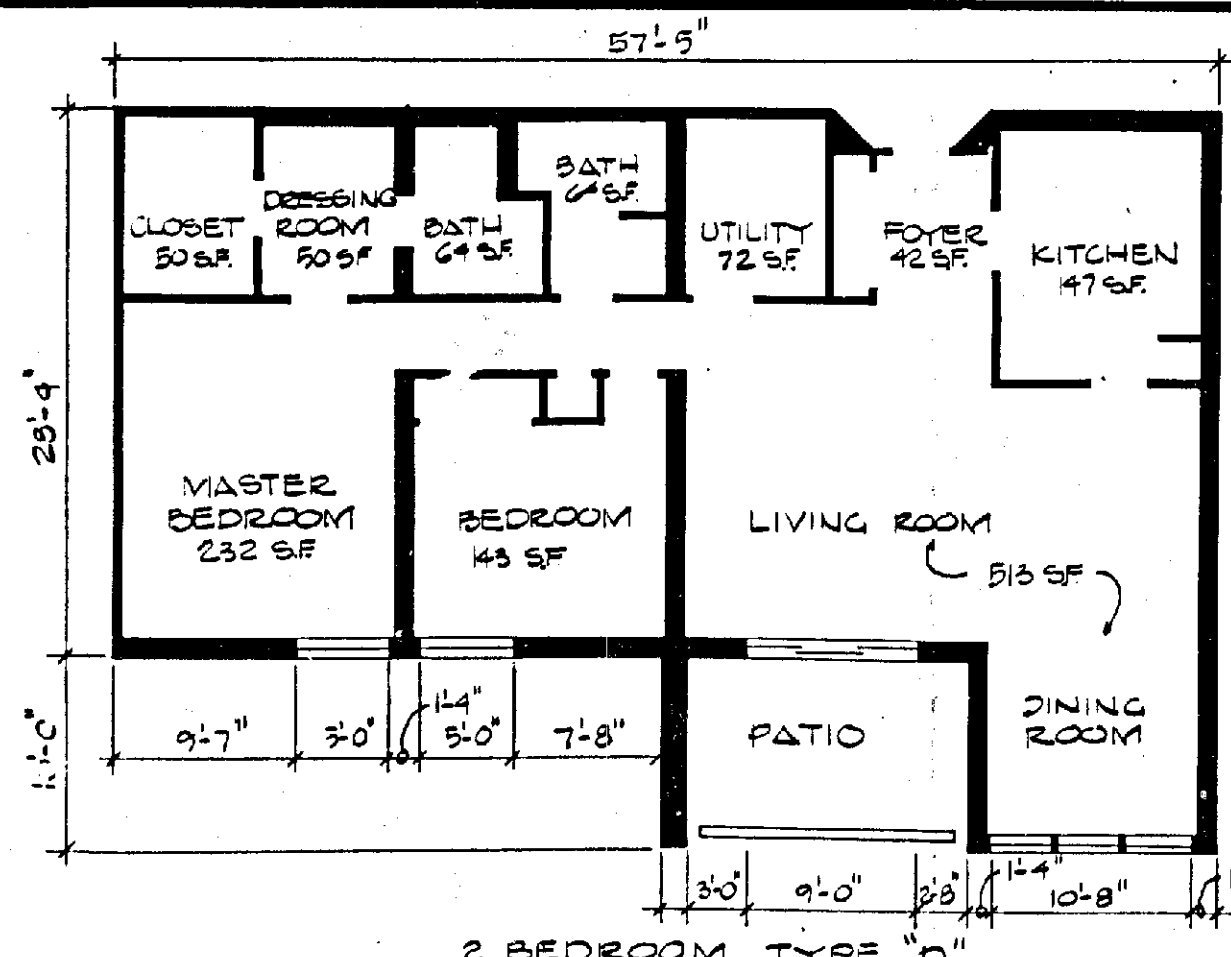
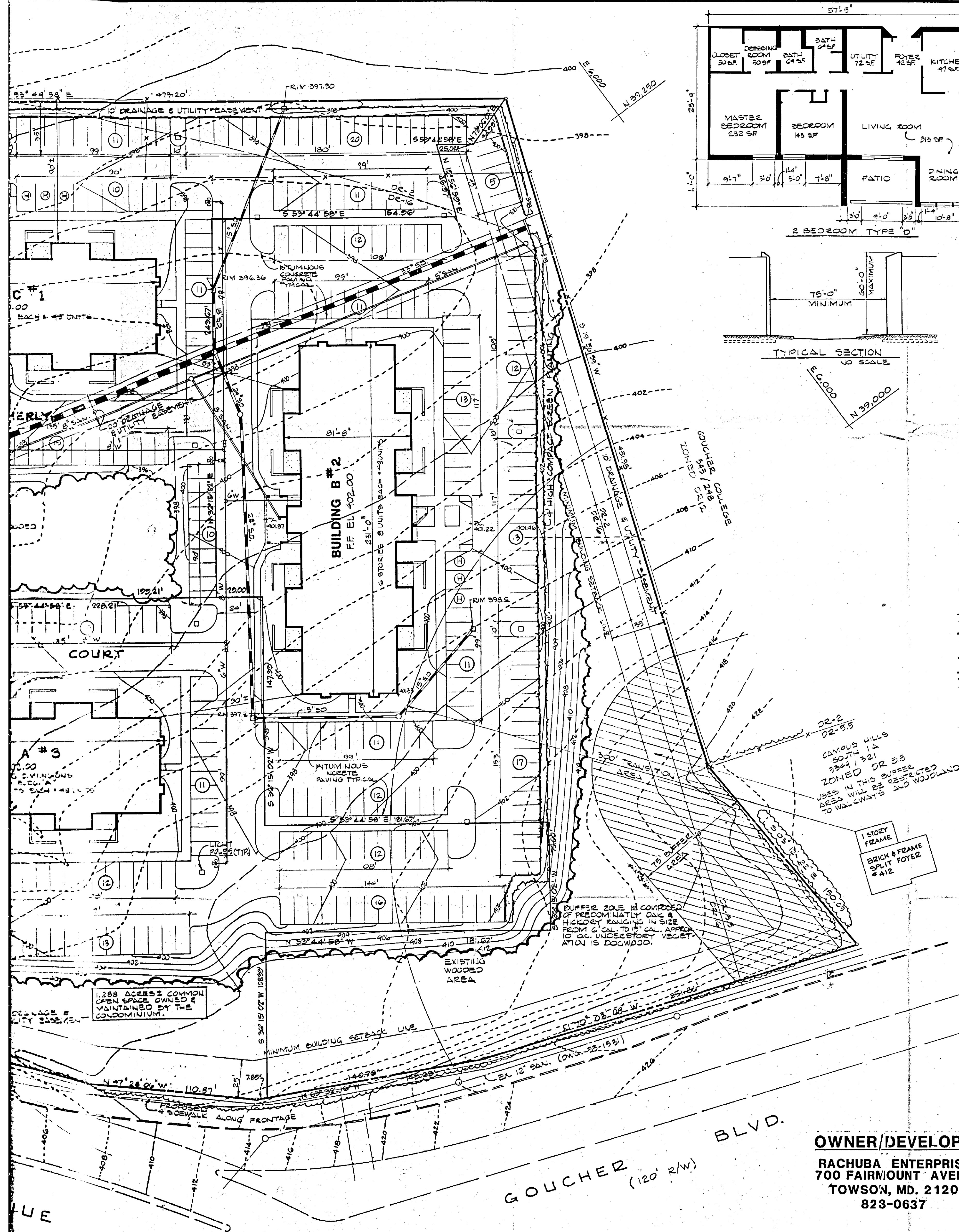
AMOUNT: \$100.76

RECEIVED FROM: Rachuba Enterprises, Inc.

Advertising & Posting Case #84-84-A

8 041*****100761b 6295A

VALIDATION OR SIGNATURE OF CASHIER



TYPICAL UNIT DIMENSIONS
SCALE: 1" = 10'

DR-2
DR-3
CAMPUS HILLS SOUTH 1A 3344 / 321 ZONED DR 55
USES IN THIS BUFFER AREA WILL BE RESTRICTED TO WALKWAYS AND WOODLAND

1 STORY FRAME BRICK & FRAME SPLIT FOYER #412

DAFT · McCUNE · WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS
530 E. JOPPA ROAD
TOWSON, MD. 21204
TELEPHONE: (410) 296-3333

TOWSON GATE CONDOMINIUMS
9TH ELECTION DISTRICT

OWNER/DEVELOPER
RACHUBA ENTERPRISES
700 FAIRMOUNT AVENUE
TOWSON, MD. 21204
823-0637

SCALE:
1" = 30'

JOB ORDER NO.
82062

ISSUE DATE
JUNE 20, 1983

DATE	REVISIONS

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

LOT 4
TOWSON GATE
VACANT
ZONED RAE 2

LOT 2
TOWSON GATE
VACANT
ZONED O-1

GENERAL NOTES

- Parcel also known as Part of Lot 9, Towson Gate, as recorded in E.H.K., Jr. 49 Folio 74.
- Fourth Councilmanic District.
- Census Tract 4903.02.
- Watershed Number 10.
- Subwatershed Number 29.
- Site Acreage:
Gross = 0.0175 ± Acres
Net = 0.0476 ± Acres
- Common Open Space:
Required = 88 x 0.204 Acres (DR 5.5) = 0.012 Acres
Required = 152 x 0.422 Acres (DR 16) = 1.265 Acres
Proposed = 1.288 Acres
All open space to be private and will be maintained by the Home Owners Association.
- Parking Spaces:
Required = 1.53 x 135.75 Density Units = 208 Spaces
Proposed = 331 Spaces (9' x 18' Typical) including 9 Handicapped Parking Spaces (12' x 18' Typical)
- Density Calculation:
Dwelling Units Permitted = DR 5.5 x 0.204 Acres = 1.122
DR 2 x 0.391 Acres = 0.782
Total = 1.904
Density Units Permitted = DR 16 x 0.422 Acres = 134.75
Total Dwelling and Density Units = 138.048
Density Units Proposed = 33 - 1 BR Units x 0.75 = 24.75
110 - 2 BR Units x 1.00 = 110.00
Dwelling Units Proposed = 1 BR Unit = 100 Dwelling Units. 134.75 Units
All units are for sale.
- There are no historic buildings located on this parcel.
- Maximum building height to be 60'.
- Source of Title: Office Use Co. to Rachuba Enterprises, Inc. et al E.H.K., Jr. 6456 folio 010
- Property Number: 19-00-007227
- Average Daily Trips Generated: 144 Units x 5.0 = 720 A.D.T.
- There are no Wetlands, Critical Areas, Archeological Sites, Endangered Species Habitats or Hazardous Materials Sites on the subject parcel to the best of our knowledge.
- Interior Refuse Collection: Dumpsters shall be wheeled to curbs for private trash collection.
- Landscaping plan will be submitted as separate document, (See Sheet 2 of 2).
- Lighting shall be 500 watt on 20' high poles as located on plan.
- On-site natural vegetation in buffer areas shown hereon will be reviewed by the Planning Board, the Zoning Commissioner, or the Board of Appeals, upon completion of improvements to determine compliance with the Baltimore County Zoning Regulations, Sections 1801.1.8.1.b.3.(b) and 1801.1.8.1.b.5. If on-site natural vegetation does not comply with the aforementioned Zoning Regulations, the owners agree to add plant material in the buffer areas so as to comply with the said regulations. Planting will be done within a reasonable time following written notification, but not later than the next planting season following completion of the improvements or occupancy, whichever shall first occur.
- If on-site natural vegetation is determined to be in compliance with the aforementioned Zoning Regulations then the owners agree to revise the site plan, within sixty days, to show the location with this area of all evergreens and trees over two inches in diameter.

PLAT TO ACCOMPANY PET
FOR
ZONING VARIANCE